

Summary Report

September 10, 2026

North Dakota IDEA Advisory Committee



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North Dakota IDEA Advisory Committee Position Statement on a Unified System of Education

North Dakota shall have a seamless education system that is responsive to the needs of all children, adolescents, and young adults, and their families. Parents and students must be given the opportunity to participate as full partners in all educational endeavors. We must build the capacity in general education for all children, while supporting each individual student's rights and the gains made since the passage of federal legislation in special education. In such a system, all children reap the benefits of a free appropriate public education through effective, research based, instructional programs and practices based on equitable standards with accountability and high expectations for all.

Approved by the ND IDEA Advisory Committee on September 21, 2001.

ABOUT THE ADVISORY COMMITTEE

The IDEA Advisory Committee is a committee that works to improve special education in North Dakota. The IDEA Advisory Committee advises the North Dakota Department of Public Instruction on the unmet educational needs of students with disabilities, on corrective action plans, and on developing and implementing policies to improve the coordination of services to these students, reviews and comments on North Dakota's Annual Performance Report, on proposed special education regulations, and helps the North Dakota Department of Public Instruction develop and report information that is required by law to the U.S. Secretary of Education.

The functions of the North Dakota IDEA Advisory Committee are to:

- Advise the NDDPI of unmet needs within the state in the education of children with disabilities;
- Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities;
- Advise the NDDPI in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of IDEA 20 U.S.C §1418;
- Advise the NDDPI in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA; and;
- Advise NDDPI in developing and implementing policies relating to the coordination of services for children with disabilities.

MEMBERSHIP

The membership of the advisory committee includes select organizations that are specifically focused on the needs of individuals with disabilities, parents of children with disabilities (ages birth through 26), and individuals with disabilities. Parents of children with disabilities and individuals with disabilities are vital members who represent a majority of the committee. The committee's composition aims to include all major stakeholders who can provide resources and support for individuals with disabilities. Members are appointed by the superintendent for three-year terms beginning in September of each year. Committee members must include individuals who represent the following areas:

- Parents of individuals with disabilities (ages birth through 26)
- Individuals with disabilities
- A teacher
- An administrator of programs for children with disabilities.
- A State or local education official who carry out activities under subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act.
- A representative of an institution of higher education that prepares special education and related services personnel.
- A representative of other State agencies involved in financing or delivery of related services to children with disabilities.
- A representative from a state child welfare agency responsible for foster care.
- A representative of a vocational, community, or business organization concerned with the provision of transition services.
- A representative from a state juvenile and adult corrections agency.
- A representative of private and public charter schools.

STATE ADVISORY COMMITTEE ON THE EDUCATION OF CHILDREN WITH DISABILITIES

2025-2026

CHAIR: Christopher Larson
VICE CHAIR: Nicole Reybok

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*Also a parent representative.

COLLABORATIVE EFFORTS

In North Dakota, the lead agency responsible for services for children with disabilities from birth through age 2 (IDEA, Part C) is the Department of Human Services. The lead agency responsible for services for children with disabilities from age 3 through 21 (IDEA, Part B) is the Department of Public Instruction. Since September 2002, the ND Interagency Coordinating Council (IDEA, Part C) and the ND IDEA Advisory Committee (IDEA, Part B) have recurrently held joint meetings.

YEAR IN REVIEW

The IDEA Advisory Committee held regular quarterly meetings throughout the year. Complete minutes are available on the Department's website.

Meeting Summary: September 11, 2025

Jackie and Mary conducted new member training for ICC/IDEA Advisory Members.

Part C and B Updates and Levels of Determination - Mary McCarvel-O'Connor AND Jackie Adusumilli North Dakota Meets Requirements on February 2024 submitted SPP/APR for Part B and Part C.

Part B SPP/APR Report - [2025 SPP/APR and State Determination Letters, Part B](#)

Part C SPP/ APR Report -

<https://www.hhs.nd.gov/sites/www/files/documents/Developmental%20Disabilities/nd-apr-ffy-2023.pdf>

Update Transition C to B - Jordan Anderson and Anne Skiba

Parent Transition Guide and Professionals Transition Guide are completed. The parent guide is completed with a final look from the workgroup, and the admin guide is nearly completed and needs final approval and a final look from the workgroup. Both will then be made available to the public and distributed.

SPDG – GRAD 701 – Michelle Woodcock

GRAD 701 goal is to increase graduation rates for students with disabilities through professional development and technical assistance on implementing Early Warning Systems and Evidence-Based Practices to teachers, administrators/principals, families, and pre-service teachers.

Attendance & Achievement –

- Children who are chronically absent in preschool, kindergarten, and first grade are much less likely to read at grade level by the third grade.
- Students who cannot read at grade level by the third grade are four times more likely to drop out of high school.
- By high school, regular attendance is a better dropout indicator than test scores
- A student who is chronically absent in any year between the eighth and twelfth grade is seven times more likely to drop out.

[Students with Disabilities and Chronic Absenteeism \(umn.edu\)](#)

GRAD 701 works to provide three things:

- 1) Professional Development to selected Cohort Schools
- 2) Universal Training is open to any and all educators, administrators, and families in North Dakota
- 3) Training pre-service teachers on EWIMS and EBPs at selected universities in North Dakota

SSIP Theory of Action – Students with emotional disturbance will receive improved instruction and improved supports that will result in improved performance as reflected in their extended six-year graduation rates.

Does the IDEA/ICC Advisory Committee approve and accept the new logic model? Are you okay with us switching to it? Are you okay with us adopting the new Theory of Action?

PIER Infographic - <https://www.nd.gov/dpi/sites/www/files/documents/SpeEd/SSIP/PIER Tool Infographic.pdf>

Behavioral Response – Where are you operating?

- Prevention
- Intervention
- Crisis

Skills needed for self-regulation

- Cognitive flexibility
- Working memory
- Inhibitory control
- Self-Regulation – thoughts, emotions, behaviors

Executive Function (EF) - A set of cognitive processes and mental skills that help an individual plan, monitor, and successfully execute their goals.

EF Development

- Children are not born with these skills, they are born with the potential to develop them
- Adults play a critical role in supporting the development of EF skills through play, first by helping them complete challenging tasks, and then by gradually stepping back to let them manage the process independently and learn from their mistakes

Technoference - The findings showed that even low or seemingly "normal" amounts of technoference were associated with more behavioral problems in participants' children. However, the study didn't prove a cause-and-effect relationship, just that an association existed. — *Maureen Salamon, UPI (upi.com), 15 June 2017*

Role Models

- 95% of parents say their tech use interferes with daily opportunities for talking, playing and interacting with their child (Common Sense Media, 2020)
- Adults check their smartphones an average of 96 times a day, every 10 minutes, for an average of 5 hours and 24 minutes per day (Flynn, 2023)

Reflexive Questioning

- Increases awareness
- Meets the child where they are
- Creates a positive environment

Verbal Working Memory – Self-talk, Inner Voice, Phonology
Supports:

- Simplify the amount of oral language used
- Chunk oral directions or information into smaller amounts
- Use cognitive anchors

Non-verbal Working Memory

- Mental Representations
- Imagination
- Mind's Eye

Ask

- What do you see yourself doing?
- Ask them to think about their senses
- Practice creating images in our mind

Balancing Executive Function

Drains

- Transitions
- Inhibitory control
- Learning new concepts

Increases

- Physical movement
- Rest
- Engaging Learning Activities

“A hallmark of executive function deficit is inconsistency in performance.” *Tera Sumpter, CCC-SLP*

Following Directions

Did you find the root cause?

- **Perception** – Do they understand the directions?
- **Attention** – Were they attending when given?
- **Verbal Working Memory** – Could they hold and retain the directions?
- **Nonverbal Working Memory** – Could they picture the end goal?
- **Initiation** – Do they know where to start?
- **Inhibition** – Can they avoid distractions?
- **Execution** – Can they complete the steps?
- **Self-Monitoring** – Can they evaluate how they did and what to improve?

7 ways to support EF

1. Stop giving timers & planners to students struggling
2. Put hard classes earlier in the day
3. DO NOT take away recess

4. Remove distractions and temptations
5. Support the development of foresight and hindsight
6. Bring goals closer to the present moment
7. Use input and output for teaching

Overview of DMS - Mary McCarvel-O'Connor And Jackie Adusumilli

OSEP monitored Part B and Part C in January 2025. On July 17, we received our monitoring reports back. We wanted to share our corrective actions.

- [North Dakota Part B DMS Monitoring Report of July 17, 2025](#)
- [North Dakota Part C DMS Monitoring Report of July 17, 2025](#)

Summary of Monitoring Priorities and Outcomes for Part B.

Monitoring and Improvement

- 1.1 OSEP finds that the State does not have a general supervision system that is reasonably designed to identify noncompliance with all IDEA Part B requirements in a timely manner, as required by 34 CFR 300.149, 300.600 through 300.602, and 303.606 and through 300.608.
- 2.1 OSEP finds that the State does not have a general supervision system that is reasonably designed to identify noncompliance with all IDEA Part B requirements in a timely manner, as required by 34 CFR 300.149, 300.600 through 300.602, and 303.604 and 2 CFR 200.332(a)(1)(v) and (vi).

Fiscal Management: Subrecipient Monitoring

- 2.2 OSEP finds that the State's GANs do not include the required information consistent with the requirements in 2 CFR 200.332(a)(1)(v) and (vi).

Part C Monitoring Findings:

- 1.1 LA Responsibility for General Supervision
- 1.2 Identification of Noncompliance
- 2.1 Single Line of Responsibility
- 3.1 Dispute Resolution Written Procedures

OSEP will post when Part B and Part C have completed their corrective actions. <https://www.ed.gov/laws-and-policy/civil-rights-laws/disability-discrimination/differentiated-monit...>

IDEA Advisory Committee Annual Report – Michelle Souther

The IDEA Advisory Committee approved the IDEA Advisory Annual Report. Beth Marschner made a motion, and Jeff Anderson seconded it.

IDEA Annual Dispute Resolution Report – Lea Kugel

Our staff at the Office of Specially Designed Services fields many calls from parents, guardians, advocates, and educational personnel every year. Any parent call that we receive that could be tied to any of the issues listed above that might lead to a possible dispute is logged. From June 1, 2024, through June 30, 2025, we documented 129 calls from parents/guardians (July 1, 2024-June 30, 2025). Thirty-three percent of those were related to the evaluation process, bullying or behavior. All of the state complaints that I will review later relate to one of those three areas.

Dispute Resolution options in ND are:

- IEP Facilitation
- Mediation
- State Complaint
- Due Process Hearing

Through the IDEA, states have the option of including IEP Facilitation as one of the dispute resolution options. ND has opted to include it as one of the four options that parent and public entities can select. Go through the four options and field any questions.

The four dispute options can be thought of as a continuum, with IEP facilitation being the most informal and due process hearing being the most formal.

2024-24 Dispute Resolution Activity

7 Facilitated IEP requests

7 mediation requests

15 State complaint requests

0 Due process hearing requests

The requests may be withdrawn for various reasons or may not be admitted for review due to a lack of required information. ND is a state that has very low litigation for special education. Many people state they want to work things out with each other or locally before asking the state to intervene.

DMS Corrective Action - Mary McCarvel-O'Connor

IDEA regulations say that the IDEA Advisory Committee will help write the corrective action plan.

North Dakota's Corrective Action Plan - [users-north-dakota-part-b-dms-monitoring-report-july-2025-110428.pdf](#)

Policies and Procedures— the State must submit to OSEP by Oct. 15, 2025:

1. Updated written policies and procedures which provide a description of the State's programmatic monitoring under IDEA Part B that demonstrate compliance with the monitoring and enforcement requirements in 34 C.F.R. §§ 300.149, 300.600 through 300.602, and 300.606 through 300.608, including monitoring all LEAs within a reasonable period of time and at least once within a six-year period.

The State must submit to OSEP by Oct. 15, 2025:

1. Final policies and procedures for subrecipient monitoring of the IDEA Part B and the OMB Uniform Guidance requirements, consistent with 34 C.F.R. §§ 300.149, 300.600 through 300.602, and 300.604, and
2. C.F.R. §§ 200.332, and 200.303. The following requirements are examples of topics that could be included in fiscal monitoring policies and procedures:
 - a. Allowable costs consistent with 2 C.F.R. § 200.403(a) and (g);
 - b. Time and Effort charges for personnel duties consistent with 2 C.F.R. § 200.430(b);
 - c. Prior written approval process under 2 C.F.R. § 200.407;
 - d. Records and Information management to ensure fiscal records are maintained in compliance with 2 C.F.R. §§ 200.303(e), 200.333, and 200.336(a);

- e. Equipment and inventory of items purchased using Federal IDEA Part B funds consistent with 2 C.F.R. §§ 200.313 and 200.314; and
- f. The activities carried out in implementing coordinated early intervening services under 34 C.F.R. § 300.226.

Evidence of Implementation—as soon as possible, but no later than July 17, 2026, the State must submit to OSEP: 1. Examples of IDEA Part B GANs provided to LEAs for FFY 2025 that include the required information in 2 C.F.R. § 200.332(a)(1) (v) and (vi).

The IDEA Advisory Committee had no suggestions or questions on these corrective actions.

SUGGESTIONS SUMMARY

Issues and Concerns in our State: No Issues.

Action Items:

The March meeting minutes were approved. Jeff Anderson made the motion, and Jackie Adusumilli seconded it.

The meeting was adjourned at 1:40 pm. Beth Marschner made the motion to adjourn, and Jeff Anderson seconded it.

Chris said listening tours will start up again soon. They will be virtual. Information will be sent soon via email.

Public Comment: No Public Comment

The December meeting is scheduled for December 18, 2025.

Agenda Items for the December meeting:

- Set/change targets for SPP/APR –Assessment
- Changes in Special Education related to funding and regulations

Meeting Summary: December 18, 2025

BY-LAWS – Christopher Larson

The bylaws changes need to be made 30 days before a vote. We will be discussing to see if we want to make any changes today.

Nicole and Chris were wondering if the chairperson's position could be held longer. They feel like that once the person gets familiar with the position their term is up. How does the committee feel if the chairperson held the position longer? Jeff Anderson suggested maybe we just remove the term limits and ask the committee to vote on that. Chris, Nicole, and Jeff will serve as a policy committee and come up with language changes to the bylaws. [IDEA Advisory Committee](#)

Listening Sessions – Nicole Reybok

A listening session was held On October 28, 2025, and the following issues that were brought during the session were:

IDEA Advisory Committee Summary Report

- **Attendees:** Pam Peterson (SVSEU Coordinator), Rachel Haffner (ARC Upper Valley), James Hilliard, Katy Barnum, Elizabeth Kar, Shawn Huss (Special Education Director), Elisha Johnson (Grand Forks Public Schools Coordinator), Carolyn Maroski (Parent), Johanna Pierce (P&A;), Marit Erikssen, Heidi Budeau (Special Education Director), Alia Cota (P&A;), Midge Thompson (Grand Forks Public Schools Coordinator)

Key Themes and Issues

IEP and 504 Process Concerns

- Use of process facilitators for IEP development creates distance between teachers and the planning process.
- Classroom teachers are sometimes unaware of students' IEP status.
- 504 coordinators need clearer guidance on writing plans and ensuring implementation.
- Families struggle to access DPI resources during crises; need for periodic education opportunities (webinars, videos).

Staffing Shortages and Service Gaps

- Lack of special education providers and resource rooms leading to gaps in services.
- Shortage of paraprofessionals for students with intensive needs, causing more restrictive placements.
- Inconsistent para support (few days per week instead of daily).
- Retention of qualified service providers and special education teachers is a statewide issue.

Collaboration and Systemic Issues

- Disability areas are siloed, insufficient collaboration between schools, developmental disability agencies, and medical providers.
- Lack of related service providers and mental health services.
- Behavioral health needs remain unmet despite proposed processes.
- Families often feel adversarial toward schools; need strategies to foster teamwork.

Behavioral Health and Eligibility Gaps

- Inadequate behavioral health support for students.
- Students who do not qualify for IEPs face service gaps.
- Stress from these gaps contributes to high teacher turnover.

Least Restrictive Environment (LRE) Challenges

- Students placed in restrictive settings due to lack of para support.
- Limited access to typically developing peers.
- Families perceive insufficient support in general education classrooms.

Technology and Accessibility Concerns

- Overstimulation from excessive device access.
- Difficulty accessing online learning during snow days due to support needs.
- Schools favor certain apps that may not align with individual communication needs.

Broader Policy and Advocacy Concerns

- Worries about federal removal of DEI initiatives and potential impact on Special Education and IDEA.

Recommendations

- Improve IEP and 504 Processes: Ensure teachers implementing IEPs are actively involved in development; provide standardized training and guidance for 504 coordinators; develop a clear

communication protocol so classroom teachers know which students have IEPs.

- Address Staffing Shortages: Advocate for increased funding to hire and retain special education teachers and paraprofessionals; explore incentives for recruitment and retention of qualified providers.
- Enhance Collaboration: Create interagency task forces to improve coordination between schools, DD agencies, and medical providers; develop shared mental health service plans across districts.
- Expand Behavioral Health Supports: Implement statewide behavioral health initiatives and ensure follow-through on submitted processes; provide training for staff on managing behavioral needs and crisis intervention.
- Protect LRE Access: Increase para support in general education settings to reduce restrictive placements; monitor compliance with LRE requirements and provide technical assistance to districts.
- Improve Technology Access: Standardize assistive technology options to meet diverse student needs; provide guidance for managing device use to prevent overstimulation.
- Family Engagement and Education: Offer quarterly webinars or video resources to help families navigate special education systems; develop strategies to foster collaborative relationships between families and schools.
- Advocacy and Policy Monitoring: Monitor federal policy changes related to DEI and IDEA; prepare contingency plans to safeguard special education rights.

Jeff Anderson- Lack of para educators is a big issue, and a frequently cited IEP violation by the parents that I've heard from.

Chris would like to have these listening sessions annually.

Federal Special Education Requirements – Mary McCarvel-O'Connor

Monitoring

1. Three Tiers of Monitoring-Universal, Targeted and Intensive
2. Three Tiers of Technical Assistance
3. All districts/special education units are monitored every six years.

Understanding Sources of Authority - [State-IDEA-Requirements-Outline_WestEd_Sep2025.pdf](#)

IDEA

4. IDEA Statue-IDEA passed by Congress
5. IDEA Regulations-Rules issued by the US DOE to implement the statue.
6. OSEP Guidance-Non-binding guidance issued by the Office of Special Education Programs (OSEP) interpreting the regulations and statute.

As I think about the current federal and state landscape, when it comes to policy making for students with disabilities in North Dakota:

1. I am excited about
2. I am wondering about
3. I am worried about

Nicole is excited that they will have a little more control over students' needs. ND already goes above and beyond for students, but it would be nice to have more control. ND provides more intensive services than other states. We get to chart our own course.

Andrea is wondering if OSEP goes away how soon would NDDPI be able to write rules and would define where we want to go.

Worried – will we have funding, consistency and fidelity for students with disabilities. If a student moves to another state to ND how would the student be affected if each state is doing their own thing and there is no consistency from state to state. We hope that most states will continue doing what they are doing.

As parents, how do we know what to expect if there is no federal guidance. Will it be the same from district to district? Funding? Fargo is cracking down on transportation. How will it all play out and how will parents find out?

How do we set our own indicators and change services for students with disabilities?

As I think about what matters most for students with disabilities:

1. What state actions/activities are making a difference in North Dakota?
2. What state actions/activities are not making a sufficiently strong impact on North Dakota?
3. What ideas do you have about actions/activities we should look into?

Paes is a program that helps students find where their strengths are. Funding is an issue. Paes is roughly \$40,000.00. Changes in Medicaid further limit our abilities. University Startup can't be modified for more severely disabled students.

[What Matters Most in Order to Realize Positive Outcomes for Students With Disabilities? – WestEd](#)

Prioritize the five key constructs:

1. **Accurately identify and make students eligible** for special education services.
2. **Develop outcomes-focused Individualized Education Programs (IEPs)** such that services are configured to ensure educational benefit.
3. **Provide specially designed instruction with fidelity**, as specified in students' IEPs.
4. **Promote meaningful family–educator–principal partnerships** that result in the functional application of procedural safeguards for student and family rights.
5. **Design and implement an efficient and effective statewide system of General Supervision and strategic resource allocation** to drive accountability and support that propels excellence in the priorities listed above.

Embracing Opportunities

After seeing the recommended five key constructs:

1. What do you think North Dakota should consider?
2. What additional key construct(s) should we look at?

Emphasis on outcome IEPs. Curriculum doesn't always align to the classroom. Research shows you shouldn't be removing students from the classroom during reading and math because SWD having the core curriculum is important. How do we get more training for all staff on scaffolding for students?

SPP/APR – Alyssa Kramer

State Performance Plan (SPP)

- **Is a multi-year roadmap** for how the state will improve special education services under IDEA.
- It covers several years at a time. (6 six years)
- It sets goals and explains what the state plans to do to meet them.
- It describes how the state will measure progress (using Indicators).
- It focuses on long-term improvement.

Annual Performance Report (APR)

- It is a **year-to-year “report card”** showing how well the state is doing on the goals and indicators in the SPP.
- It is submitted every year.
- It shows the actual results: Did the state meet its targets? Improve? Fall behind?
- It includes data about how schools and programs performed that year.
- It explains any changes or steps taken during that year.

Data is from July 1, 2024 – June 30, 2025

Indicator 1 – Graduation – target 76.93% Rate – 76.05%. Target not met.

Indicator 2 – Drop-Out – target 17.80% - Rate 22.03%. Target not met

Indicator 3 – Assessment – Grade 4 Reading– 95% -Rate 95.49% - Target met. Math – Target – 95% - rate – 95.69%. Target met.

Grade 8 – Reading – Rate – 95% - target – 92.69% - target not met. Math – target 95% - 93.10% - target not met.

Grade 10 & 11 – Reading – Target – 95% 0 rate 89.14% - target not met. Math – target 95% - rate 89.21% - target not met.

Proficiency Rate on Alternate Assessment:

Grade 4 – ELA – target - 56.26%, rate 53.76%. Target not met.

Grade 4 – Math – target – 32.94% - rate 31.18%. Target not met

Grade 8 – ELA – target 38.15% - rate 47.14% - target met

Grade 8 – Math – target 14.98% - rate 30% - target met

Grade 10 & 11 – ELA – target 41.57% - rate 29.11%. Target not met.

Grade 10 & 11 – Math – target 37.48% - rate 25.32%. Target not met.

Indicator 4: Suspension/Expulsion – Target 6.95% - rate 9.38%. Target not met.

Nicole asked if NDDPI has noticed an increase in Indicator 4 due to the mental health crisis? Yes, we have.

Indicator 5: Least Restrictive Environment –

- Regular Classroom – target 74.12% - rate – 73.45%. Target not met.
- Separate Classroom – target 5.71% - rate – 7.53%. Target not met.
- Separate Facilities – target 1.41% - rate 1.56%. Target not met.

LRE – Preschool Students

- Regular Classroom – target 23.07% - rate – 18.21%. Target not met.
- Separate Classroom – target 39.49% - rate – 43.12%. Target not met.
- Separate Facilities – target 1.18% - rate .98%. Target met.

Indicator 7: Child Outcomes

- Social-Emotional Skills – Target – 87.07% - rate 87.65%. Target met.
 - Functioning within age expectations – target – 61.67% - rate – 56.40%. Target not met.
- Acquisition of use and Knowledge of Skills – Target – 89.86% - rate – 90.24%. Target met.
 - Functioning within age expectations – Target – 52.11% - rate 48.05%. Target not met.
- Use of Appropriate Behaviors – Target – 86.99% - rate 88.30%. Target met.
 - Functioning within age expectations - Target – 69.48% - rate 64.86%. Target not met.

Indicator 8: Parent Involvement – Target 69.87% - Rate – 67.16%. Target not met. – Parent Survey.

Indicator 9: Disproportionate Representation – Target 0% - Rate 0%. Target met.

Indicator 10: Disproportionate Representation by Disability – Target – 0% - Rate – 1.15%. Target not met.

Indicator 11: Child Find – Target – 100% - Rate 99.12% - Target not met. – 60-calendar day evaluation timeline. This is a compliance indicator, so you need 100%.

Indicator 12: Early Childhood Transition – Target – 100% - Rate -99.55%. Target not met. Students from Part C to Part B.

Indicator 13: Secondary Transition - Target – 100% - Rate -88.78%. Target not met. Compliance indicator so Target is 100%.

Indicator 14: Post-School Outcomes:

- Enrolled in higher ed within 1 year of leaving school – Target 21.10% - Rate 28.44%. Target met.
- Competitively employed or enrolled in higher ed within 1 year. Target 62.39% - Rate 61.98%. Target not met.
- Enrolled in another type of postsecondary education/training. Target 82.57% - Rate – 80.54%. Target not met.

Indicator 15 & 16 – are dispute indicators. We don't have to report these until we have over 10.

Indicator 17 – SSIP – graduation rates for ED students. (6-year cohort)

Indicator 18 – compliance and noncompliance indicators

The SPP/APR is due February 2, 2026. We received the final report in June, 2026 and then that will be posted to our NDDPI webpage.

Indicator 3 Target Setting –A new statewide test was administered in Spring 2025, ND A-PLUS so we need to set new targets for Spring 2026 for Indicator 3B and 3D.

3B Target Setting – We will take a look at the trend lines to see what direction of performance - up, down or flat.

Target Options for Spring 2026 – 3B Math – The following target options were chosen by the IDEA Advisory Committee for new targets.

Grade 4: Target Option 1 – 18.85%

Grade 8: Target Option 1 – 13.20%

Grade 10: Target Option 1 – 4.71%

3B Target Setting – Reading - The following target options were chosen by the IDEA Advisory Committee for new targets.

Grade 4: Target Option 1 – 14.83%

Grade 8: Target Option 1 – 11.30%

Grade 10: Target Option 1 – 9.71%

What are improvement strategies that can be implemented by special ed units, districts, and/or staff to increase proficiency rates of SWD?

- Students with mild to moderate learning disabilities need to stay in the general education setting for those core courses.
- Testing breaks to regain focus as needed

What are barriers to making progress on the proficiency rate of SWD on the regular test?

- Teach testing taking strategies on beefing on those strategies as a reminder prior to participation
- Bunching all SWD into the same classroom to test
- Test taking can be overwhelming and cause students to display behaviors, test taking strategies prior and support during tests
- Too many teams believe students need an alternate reading/math curriculum

Indicator 3D Math – measures the gap in math proficiency rates for all students who took the regular state test and all students with disabilities who took the regular state test. Over time, we want the gap to decrease.

The following target options were chosen by the IDEA Advisory Committee for new targets.

Grade 4: Target Option 1 – 24.13%

Grade 8: Target Option 1 – 30.90%

Grade 10: Target Option 1 – 16.94%

Indicator 3D – Reading – the gap in reading proficiency rates for children with IEPs and all students against grade level academic achievement standards.

The following target options were chosen by the IDEA Advisory Committee for new targets.

Grade 4: Target Option 1 – 22.59%

Grade 8: Target Option 1 – 30.80%

Grade 10: Target Option 1 – 30.23%

What are some barriers to making progress on the gap rate of SWD?

- Students pulled from gen ed often get more help in sped than they actually need – over supportive sped teacher/para who help read to speed up getting work done but doesn't allow student to grow
- Students pulled from class often work with para – but those that need the most help should receive it from the most qualified educator
- Lack of understanding of best practice literacy instruction

What are some improvement strategies surrounding gap rate of SWD that could be implemented?

- Utilize co-teaching models more
- Allow students time to read for all subjects, allow time to develop skills instead of rushing through tasks
- More instruction training for paras
- ESY
- Utilizing peer mentors
- Provide teachers with PD on how to truly use their data to implement positive growth outcomes for students – reflection/action research on instructional

SUGGESTIONS SUMMARY

Issues and Concerns in our State: No Issues.

Action Items:

The September meeting minutes were approved. Michael Netzolff made the motion, and Jeff Anderson seconded it.

The meeting was adjourned at 12:30 pm. Aimee Easton made the motion to adjourn, and Jen Withers seconded it.

Public Comment: No Public Comment

The March meeting is scheduled for March 26, 2026.

Agenda Items for the March meeting:

- Bylaw Changes
- IDEA-B Application

Meeting Summary: April 23, 2026

BY-LAWS – Christopher Larson

Committee Bylaw Changes Discussion: Nicole Reybok and Christopher Larson led a discussion with the committee and raised the question of whether the bylaws should be changed so that the *acting chair* serves a longer term. Their concern is that the current structure doesn't provide enough time for a chair to learn the role, understand committee dynamics, explore initiatives in the first year, and then effectively implement them in the second year before transitioning out—leading to discontinuity. The proposal discussed was to extend the acting chair's appointed term to support smoother leadership and sustained progress. It was noted that bylaw amendments must be submitted in writing 30 days prior to a vote.

- Existing bylaw language was reviewed, including:
 - Members may serve multiple terms but must reapply after each three- or six-year period.
 - Appointees serve three-year terms beginning July 1st, with staggered terms.
 - Members may serve up to two consecutive terms unless their agency has no alternate representative.
- The suggested change would remove the requirement for a mandatory three-year break between terms.

The vote requires a two-thirds majority for it to pass.

A survey will be sent out to gather committee votes on whether to proceed with the proposed bylaw changes. If the committee wishes to move forward, the formal vote will occur at the next scheduled meeting.

IDEA-B Application – Mary McCarvel-O'Connor

[ND Part B-FFY2026 Application](#) - Annual State Application – IDEA Part B (FFY 2026)

Public comment on the Annual State Application Under Part B of the Individuals With Disabilities Education Act (IDEA) was held on April 15, 2026, and no public comments were received.

Mary reported that the IDEA B grant application has been submitted and is posted online, with the final application deadline expected around May 21st, pending allocation information from the Department of Education. She mentioned a slight nationwide increase in funding, but it is unclear how this will affect North Dakota until allocations are received, and the committee will be updated once more information is available.

Indicator 8 – Parent Survey Changes – Allison Miller

Allison Miller presented proposed revisions to the parent survey questions for Indicator 8, seeking feedback from committee members to improve clarity and parent-friendliness. Every year we have our districts send out or at our state level we will send out a survey to parents with a child that is on an IEP. The Parent survey is questions that are asked of parents to see how included they feel that they are in the IEP process. Allison described the process of revising parent survey questions to make them more understandable and relevant, focusing on parental inclusion in the IEP process and updating language for clarity. The goal of the revision is to make the language more parent-friendly and easier to understand, particularly for those who may be new to special education. One example discussed was current Question #10, *“My child’s school informs me of my parental rights,”* and how some families may know these as the “blue book” rather than “procedural safeguards,” prompting the need for clearer wording. Allison is requesting feedback via a survey.

General Supervision – Alyssa Kramer

Following the state’s Differentiated Monitoring and Support (DMS) visit in January (approximately 18 months prior), the agency received a formal directive requiring all LEAs to be monitored once every six years. This shift establishes a cyclical monitoring system, aligning with federal expectations for general supervision under IDEA. LEAs are grouped into cohorts, organized by Special Education Units (SEUs) to reduce burden on unit directors. The LEAs in the first cohort (shown in purple on the monitoring chart) will begin the new cycle. The grouping is intended to streamline coordination.

Andrea raised concerns about staff anxiety regarding focus monitoring, and Alyssa agreed to provide a FAQ or guidance document to clarify the compliance-based nature of the process and alleviate fears. The state acknowledged this and assured that monitoring is not meant to be punitive, but rather a review of documentation requirements, supported by established compliance matrices and checklists.

Andrea also noted that alignment with state expectations will help units better calibrate their internal compliance monitoring processes conducted each June/July.

SPP/APR – Alyssa Kramer

We submitted the SPP/APR on February 1st. We had a clarification period. We got our information back and we only received 4 responses from OSEP. During the review of the state's Annual Determinations materials, it was identified that the introductory section omitted the word “timely” when describing the factors used (valid, reliable, *and timely* data). We clarified to the OSEP lead that the state does, in fact, include timeliness in its determinations, and the omission was simply a wording oversight. The OSEP lead indicated that adding “timely” back into the introduction was sufficient. OSEP may follow up with the state regarding the public announcement process, but the explanation provided during the call was acceptable.

The final statement in the introduction referenced that OSEP could not access the general supervision link. This occurred because the state website was temporarily down. While you were on the call, the OSEP lead confirmed that all links were functioning properly, including those associated with Indicator 17 and narrative descriptions such as the theory of action.

Additionally, indicators 3B and 3D required new or revised baselines and updated targets due to the new NDA+, and OSEP formally acknowledged and accepted these revisions and the updated target.

Parent to Parent Program – Needs in ND – Donene Feist

Donene Feist from Family Voices provided some things they are seeing with families that are on IEPs or 504. Family Voices is a statewide health information and Education Center that operates primarily on grant funds and donations. Family Voices:

- Helps families navigate complex systems (education, medical, behavioral health).
- Supports families in both routine and crisis situations.
- Provides trainings, navigation support, crisis prioritization, and a Parent Leadership Institute.
- Partners with national groups
- Collaborates through a multi-agency Education Committee to track statewide issues impacting families.

Staff work across multiple regions statewide, but gaps in coverage remain, especially in Minot and Devils Lake. Cross-region staffing is used as needed to support families.

Things that staff are seeing, one thing that we see really prevalent across the state is some predetermination.

- Predetermination: Families report being told their child will *not* qualify before any evaluation or IEP meeting occurs.
- Some districts reportedly have “waiting lists” for IEPs.
- Requests for evaluation sometimes dismissed as “a waste of time.”
- Medical diagnoses are sometimes ignored during evaluations.

There has been some failures to provide behavioral support sending a child home for a behavior instead of assessing the issue.

- Students sent home for behavior rather than receiving FBAs or BIPs.
- Parents blamed for behavior instead of behavior being assessed.
- Lack of manifestation determination meetings when required.
- Use of shortened school days without a clear path back to full attendance.
- Some schools sending students home to “clear the room” rather than implementing plans.
- Families report denial of needed services, accommodations, or assistive technology due to time or staffing constraints.
- Some schools reportedly conflate a 504 Plan with an IEP, telling parents one replaces the other.
- Lack of paraeducator support results in students being sent home frequently.
- Students eligible for services until age 22 being told the school can do “nothing more,” without reviewing or updating transition goals.
- Academics being used as justification for exiting students prematurely.

And then also remembering that the parent is still part of the IEP team.

- Parents being talked *at* or *over*, rather than treated as part of the IEP team.
- Families with full guardianship not always being appropriately included.
- Prior Written Notice (PWN) misunderstood or misused—sometimes not provided or provided incorrectly.

There also seems to be a lack of accommodations in an IEP which is what staff is reporting.

- Families report denial of needed services, accommodations, or assistive technology due to time or staffing constraints.
- Some schools reportedly conflate a 504 Plan with an IEP, telling parents one replaces the other.
- Lack of paraeducator support resulting in students being sent home frequently.

We have such a high level of turnover. And behaviors are becoming increasingly more at younger ages in our rural districts, which a lot of our staff are maybe not as familiar or comfortable with. How do we minimize the barriers in accessing good PD and training on the different things that we can do classroom based? MTSS intervention prior to moving to more formal steps. Such as that behavior, referral or special Ed referral for evaluation because. Even though we try to provide PD, sometimes our districts can't afford to send teachers because of the cost of the training, if it's outside of their contractual obligation times, they must pay for the training then plus stipend to the teachers. Plus, providing transportation to the trainings in person is always better.

The IDEA Advisory Committee were doing listening tours across the state trying to get parents to come in and share what's going on and get information out to families in a more easily consumable way where we're not talking all the legalese. As an advisory, we really want to turn this into being solution focused and seeing how our advisory committee can help to address the needs in North Dakota. While the parental rights handbooks are important, they're written in a legal manner, and that's for a very good reason but parents may find it difficult to understand, so the committee wants to make this information more accessible.

Grace shared a resource:

<https://www.ndpanda.org/sites/www/files/documents/COMMON%20GROUND%20Manual%20final.pdf>

Donene said she has a listserv that goes out every week on Monday, if there's an event that you guys have, we could gladly put that in there. We have a biannual newsletter, hard copy newsletter that goes out twice a year, once in February and then once right before school starts.

Family Voices North Dakota fvnd.org

Interim Education Committee Work – Mary McCarvel-O'Connor

Interim Education Committee Work - HB 1530-Study special education teacher shortages, circumstances and collective needs

- HB 1530 – Study special education teacher shortages, circumstances and collective needs.
- HB 1547-Study special education funding
- SCR 4019-Study reading and mathematics proficiency rates among students in the state with disabilities and the effectiveness of current educational policies, programs, and resource allocations in addressing any disparities

Meeting Dates

- September 3, 2025
- November 5, 2025
- March 4, 2026
- May 6, 2026

The May 6 meeting focused on special education funding in North Dakota and whether the current funding formula could be improved. A key takeaway was the emerging belief that the issue may not be a lack of funding, but rather the need to reduce paperwork and increase paraprofessional support. Grand Forks plans to present how a single high-needs student can significantly affect a district's budget, and the Wahpeton special education director has also shared their district's financial impact. However, concerns were raised about tight budgets leading to no salary increases for special education teachers this year. With ongoing recruitment and retention challenges, stagnant wages may worsen staffing shortages.

Children’s Cabinet Subcommittee Work (HB 1556)

The subcommittee is making progress toward defining youth with complex needs, increasing regional collaboration, and improving system alignment.

The December–February regional meetings were extremely successful and generated enthusiasm for ongoing regional collaboration.

Major barriers include transportation, funding, staffing, and professional development access, especially in rural districts.

There is strong interest in creating regional Level-D options, improving cross-system communication, and developing sustainable structures supported by the state.

Legislative engagement will be critical to address systemic funding and staffing challenges.

Infinite Campus Work – Will be moving from Tienet to Infinite Campus July 1, 2026. [BRIDGE | North Dakota Department of Public Instruction](#)

Temporary Custody Paper - The committee has been hearing many questions about whether individuals responsible for children in temporary state custody can legally provide consent for special education decisions. Under IDEA, a parent cannot be someone acting in the role of a state agency, which creates a conflict when temporary custody is held by HHS. To address this confusion, legal clarification was sought and shared with HHS, and statewide guidance will be developed next year. This issue is not unique to North Dakota—it is a challenge seen across the country.

The forthcoming guidance will clarify that unless a parent’s educational rights have been formally removed, the parent must still be invited to participate in educational decisions. If a parent is unwilling or unable to participate, the school is required to appoint an educational surrogate. This will likely increase the responsibility on districts to find surrogates in a number of cases. NDDPI also plans to release guidance related to recent legislative changes that allow some parents with terminated rights the possibility of regaining those rights. Although no known cases of reinstated rights have occurred yet, future case law will be important in understanding how this plays out, especially when parents were not previously involved.

Public Comment SPP/APR – The State Performance Plan (SPP), a six-year plan that includes 18 IDEA indicators, is up for renewal for 2026–2031. Several changes to the indicators, Indicator 1, they're looking to clarify, what states must report if states allow students with IEPs to graduate with a regular diploma without meeting all the requirements as students without IEPs – North Dakota does not allow this, but some states do. They are looking at eliminating Indicator 4a and 4B. Indicators 4A, which relate to significant discrepancies in discipline, may be removed from federal reporting, though states would still identify districts with issues. We just wouldn't have to report it to the Department of Education. Indicator 7, they're just looking to change some wording changes especially Outcome A instead of saying social-emotional, they would replace with more academic language. For Indicator 8, states must show that they survey all districts within a defined cycle; North Dakota already surveys all districts annually. The requirement to analyze respondent demographics would be removed.

For Indicator 9 (disproportionate representation), some reporting requirements would be eliminated. Because Indicator 18 already requires states to address both student-level and systemic corrections for noncompliance, the proposal is to stop reporting this information within the earlier indicators and consolidate it under Indicator 18. Indicator 10 is being considered for removal because it is not IDEA-specific. Indicators 11, 12, and 13 would also shift so that states only report noncompliance through Indicator 18, reducing

duplicative reporting. Indicator 14 would no longer require demographic analysis of survey responses, and Indicator 17 (ESSA plan) would reduce historical reporting requirements to lessen paperwork for states. Public comments on these proposed changes are open until May 28.

Superintendent Bachmeier Introduction – Christopher Larson

The Superintendent expressed deep appreciation for everyone engaged in conversations about improving outcomes for students with disabilities.

He emphasized that schools exist for all kids, and this work helps fulfill that mission—turning aspiration into real practice.

He shared the three questions guiding his statewide school visits:

1. What makes you most proud?
2. What challenges are you facing?
3. What do I need to know—as someone new to Bismarck—to better support your work with all North Dakota students?

Workforce was named the top starting point for improvement.

Key issues:

- Pay must be part of the conversation
- Hard-to-fill special education roles
- Ongoing statewide staffing shortages (also reflected in shortage reports in NDDPI documents)
- The need for creativity, incentives, and growing the workforce pipeline

He wants to identify what’s working well in North Dakota—the “models of excellence”—and understand which practices can be replicated statewide.

Superintendent Bachmeier emphasized the need to:

- Improve alignment between districts and families
- Focus not just on legal compliance but on positive culture and best practices
- Understand what good engagement looks like outside IEP meetings
- Support community-specific strategies and statewide learning from what works

In response to questions about university engagement, the Superintendent agreed collaboration is important but emphasized the need to go further upstream, including:

- Making it easier and less costly for districts to offer education-career pathway courses
- Strengthening Department of CTE financial incentives
- Increasing interest in education careers earlier in students’ schooling

When asked what support the committee could provide, the Superintendent shared that:

- North Dakota already has the answers somewhere—the strength is in people collaborating
- The committee can play an important role in the next legislative session
- Advocacy is needed to ensure education remains a state priority
- Legislators must understand that North Dakota must address existing issues before taking on new ones
- A strong coalition (including members of this committee) will be required

SUGGESTIONS SUMMARY

Issues and Concerns in our State: No Issues.

Action Items:

The December meeting minutes were approved. Aimee Easton made the motion, and Andrea Johnson seconded it.

The meeting was adjourned at 12:23 pm. Andrea Johnson made the motion to adjourn, and Aimee Easton seconded it.

Public Comment: No Public Comment

The September meeting is scheduled for September 10, 2026.

Agenda Items for the September meeting:

- IDEA/ICC New Member Training
- Behavioral Health Conference – Andrea Johnson and Nicole Reybok
- Specially Designed Services Office Updates
- Discussion on how do parents and educators work together. Social Media? – Chris Larson and Nicole Reybok